

1906-059 Chancery Causes: Samuel Bevin & CoJ vs. William W. Sage & Co
Lee Co.

Bevin, Williard, Miller, Anderson

CA-Debt

T-Property

To the Hon. John A. Kelly Judge
of the Circuit Court of Lee Co Va
Your Creators Samuel Bevin, Wm
Willian and Edgar G. Miller ~~late~~ mer-
chants and partners trading
under the firm name and style
of Samuel Bevin & Co humbly
Complaining sheweth unto your
honor, That heretofore in the
County Court of said County they
obtained a judgement against one
Wm W. Sage and C. D. Hall then
trading under the firm name and
style of C. D. Hall & Co for the sum
of \$127.40. and legal interest thereon
from the 19th day of Sept 1871 and
\$9.76 Costs: upon this execution
issued and was returned no property
found. The same nor no part
thereof has been paid, but is
still due and owing your Creators
The said C. D. Hall has left this
Commonwealth and gone to parts
unknown, is wholly worthless
and insolvent. The said Wm W.
Sage at the rendition of said
Judgement was the owner in fee
of several small, and poor tracts

of land, and known as the Ruth,
Robert or Belcher tract contains 210 acres
of Steuerman's ridge, poor unimproved
land. A small piece known as the
Locky Heord land, 110 acres, deeded to
said Sage from one Wm Rogers on the
south side of Steuerman's ridge is
poor of but very little value.
^{proceeds Ruth Belcher and Rogers to}
The said Sage, conveyed these lands
to his son Harrison Sage, with intent
to hinder delay and defraud the
creditors of said Wm Sage of
whom your creditors are a part and the
holders of the only judgement lien
now known to them. Since said
Conveyance Harrison Sage has departed
this life intestate and the legal title to
said land has descended to George
Vestrie Sage, Charles Wesley Sage and
Wm H. D. Sage infant children of
said Harrison Sage, who left at the
time of his death a widow Martha
E. Sage, who has since intermarried
with one Jesse Melrose; and who
would be entitled to dower therein
but the said Harrison has after
lands ample to compensate her
for dower. During the lifetime of

said Harrison Sage, he recognized the said conveyances as fraudulent and promised verbally to pay the same if no proceedings were taken against said land, but did without so doing owing to this his widow knowing the facts does not claim closer therein. If indeed under the circumstances he would be entitled to the same.

The rents and profits of said land would not in five years pay said debt. If they will do the same your Orators will be agreeably surprised.

The object of this bill is to have set aside said fraudulent conveyance so made to Harrison Sage of the tracts of land mentioned above, all properly set forth in Copies of said deeds herewith filed marked 12 & 4, and are prayed to be considered as parts hereof. And to have said judgment, enforced against the same or the same or so much thereof as may be found necessary such as will pay the same - To affect which they pray that Wm W. Sage, Jesse Anderson

A. P. Prebensen

1887 July 23. W. F. H. 1887

1 Novr Commence

1886. Counted this year

1887 Mr. George T. Corbitt

Samuel. Perum Das

Bill Chas

Belcher	\$8.75	Sept
Shenille	1.50	
W. A. D.	5.20	
W. A. D.	15.00	
Subscribed	6.00	

Decr 15th 1903. 25

Munsey Clerk 11/37

To The Hon John A. Kelly, Judge of
the Circuit Court of Lee Co. Va.

The answer of John B. Fulkerson,
Guardian ad Litem of Geo. Vortine
Sage, Chas. Wesley Sage & Wm. H. H.
Sage to a bill filed in this
Hon. Court against them et als.
by Samuel Kevin & Co.

Respondent saving the benefit
of all just & proper exceptions to
the plaintiff's bill, for answer,
there-to says, his words are of
tender years and unable to
advise him of any proper defense,
he there-fore calls on the plaintiff
for strict proof of the allegations
in his bill, denying each and
every material allegation therein,
he relies on this Hon. Court, the
peculiar guardian of infants
for the protection of his wards,
and having now fully answered
he prays to be dismissed with costs,
As in duty bound, he will ever
pray &c

J. B. Fulkerson

Guardian ad Litem

Sworn to before me Sept. 1st 1884

J. P. H. Gatt C. C.

John B. Fulkerson
Guard ad litem

Att. & Answer

Samuel Bevirted

Filed Sept. 1st 1887
J. A. Wyatt C. C.

Fee \$5.00

Samuel Bevin & Co

vs-

W. W. Sage

This cause is dismissed with
out prejudice, with leave to reinsert
on motion after due notice

Samuel Berner 760

vs

W. H. Long

Enter the record
Hawthorne
Sept 18th 1906

Entered in C.D.
#8, page 200

Samuel Blewin & Co

against

William W. Sage et al }

This cause came on again this day to be heard upon the papers formerly read & the report of Special Commr. A. L. Pindmore making sale of the land & filed in the cause several years ago but marked filed July 17th 1902 to which there are no exceptions was argued by counsel. On consideration whereof said report & sale reported therein are approved & confirmed - And it being suggested that Special Commr. ^{A. L. Pindmore} ~~has~~ since the making of said sale died & that the purchase money bonds executed by the purchaser W. W. Sage have not been paid, it is adjudged, ordered & decreed, that D. C. Sewell, who is appointed a Commr for the purpose, proceed to collect said purchase money bonds & pay the same over to those entitled to same & report his action to a future term of this Court & this cause is continued.

Samuel Blair & Co

as Agents

William H. Sage

Entered on ledger

O.B. No 7 Pages 8804

Enter this

July 2^d 1902

H. A. S. S. S.

Samuel Bevin to . . . Plffs

against

William W. Sage, et al depts;

} Indy.

This Cause

Came on again this day to be again heard upon the papers formerly read, and was argued by Counsel, And it appearing to the Court that the deed procured to be made by Rust Belcher, to Harrison Sage in his lifetime, for the tract of land known as the Belcher tract-situated on Newmas Ridge on the waters of Blackwater Creek; and the like deed so procured to be made to the tract known as the Price tract-situated on the south side of Waller's ridge near the top known as the Price tract be each set aside Counted void & held for naught so far as the plffs judgement, is involved - And unless said Sage or some one for him shall pay the same and the costs of this suit within 30 days from the rising of this Court - Then A. L. Ordemore who is hereby appointed a special Commissioner for the purpose will proceed to sell said tracts or so much thereof as

But before proceeding to execute this decree he will execute bond in the penalty of \$300- conditioned to duly perform the duties hereunder. He will then advertise the same for at least 30 days on the front door of the Court House and at two or more public place one of which shall be in the neighborhood where the land lies setting out time terms and place of sale. He will report his action to this Court at some future term and the cause is continued.

H. R. M.
Enderbury, April.

Samuel Bevin vs

Plff.

against

Indy.

William H. Sage et al vs
On the motion of the plff John B. Fulkerson is appointed guardian ad litem for, George V. Sage, Charles Wesley Sage and Wm H. H. Sage, infant defendants, and on his motion leave is granted him to file his answer, and the same is accordingly filed -

And thereupon this cause came to be heard upon the bill taken for confessed, as against the adult defendants, the answer of John B. Fulkerson guardian ad litem as answer and replication thereto and was argued by counsel.

On consideration whereof and for reasons appearing to the court it is adjudged ordered and decreed that the plff recover against Wm H. Sage the sum of \$129.40 and legal interest thereon from the 14th day of September 1871, and \$9.76 costs at law. And no further fact being proper at this time the cause continues till the next term, when Wm H. Sage or some one for him shall pay the same

Sept 1, 1871
J. A. K.

within 30 days from the rising of
this court; then that the deed, provided
to be made by said W. Sage in ~~his~~
Ruth Belcher to Harriet Sage, in his
lifetime for the tract of land known
as the Belcher tract; and the deed ^{provided to be} provided
to be made by said W. Sage to Harriet
Sage in his lifetime, each be and are
held void and counted for naught
so far as the plffs debt is concerned.
And that A. L. Prentiss who is
hereby appointed a special commis-
sioner for the purpose, do sell so
much of said lands as may be
found necessary to pay the same & the
costs of this suit: the sale will be
made at the front door of the
Court House on some court day
by public entry to the highest
bidder on a credit of one and
two years - he will require the
cash to be paid in hand and
for the residue require bond with
approved security. But before exe-
cuting the duties assigned him under
this decree the Court will execute
bond in the penalty of \$500 condi-
tioned according to law - and before

To The Hon. H. S. K. Morrison
Judge of the Circuit Court of
Lee County Va.

The undersigned
Commissioner in the case of
Samuel Bevin vs against Wm
W. Sage et al begs leave to
report that in pursuance
with a decree heretofore ren-
dered by the July Term
of the County Court, in pur-
suance with said decree
offered and sold to W W

Sage. The two tracts of
land in the bill mentioned for
the debt interest and cost
which on that day amounted
to the sum of \$, the pur-
chaser paid & settled the Clerk,
& Sheriff Costs with them - and
with your Commissioner his Com. & atty
fee - The debt is now due
your Commissioner, and the said purchas-
er, gave as
his security - which your Commissioner
is willing to accept - and allow
the same to be stricken from the
docket. All of which is re-
spectfully submitted A. L. Dickinson

Samuel Bloome & Co

vs } Report of sale
William W. Sargent

July 17. 1802

J. B. Munsey Clerk

Know all men by these pres-
ents, that we A. L. Pridemore
and J. A. Hyatt and bound unto
the Commonwealth of Virginia in
the just and full sum of Three
Hundred Dollars and for the
prompt payment thereof well &
truly to be made unto the said
Commonwealth we each waive
our homestead exemptions as to
this obligation, witness our hands
and seals this the 16th day of
May 1887.

The Condition of the above
obligation is such that whereas
the above bound A. L. Pridemore
was appointed a Commissioner
in the Chancery Cause of Samuel
Bevin & Co vs Wm W. Hyatt et al and
directed to make sale of certain
lands mentioned in said Bill.

Now therefore should the
said Pridemore faithfully
perform the duties assigned
him & properly account for
such sum of money as
may come to his hands
under this decree then, this

Obligation to be void
otherwise to remain in
full force & virtue.

A. L. Pridmore Recd
J. A. Hyatt Recd

Samuel Bevin Co
Miss Bond
No 3

Wm W. Sayce et al

Filed May 16th 1887
J. A. Hyatt et al

THE COMMONWEALTH OF VIRGINIA,

To The Sheriff Of Lee County Greeting:

We Command You to Summon

W. W. Sage, George V. Sage, Charles Wesley Sage, W. H. H. Sage, Jesse Anderson and Martha Anderson

To appear at the Clerk's Office of the Circuit Court of Lee County, at the Courthouse on the first Monday in

July next being rule day to answer a bill in Chancery exhibited in our said Court against *them* by *Samuel Bevin, Wm. A. Williard and Edgar G. Miller* late merchants trading under the firm name and style of "*Samuel Bevin & Co.*"

And have then there this writ. Witness J. A. G. HYATT Clerk of our said Court at the Courthouse

This

2nd

day of

July

188

4

, in the

10

year of the Commonwealth.

J. A. G. Hyatt

Clerk.

(D)

Samuel Bevin & Co
vs } Spain & Co

W. W. Sage & Co

To July Rules 1884

Executed by delivering an office copy of the within Spa to the wife of W. W. Sage she being a person 16 years & by reading & explaining the same to her. He not being at usual place of abode - and to Jesse Anderson & Martha Anderson his wife July 4 1884

R. D. Flanagan
S. L. & Co